DEPUTY PRESIDENT: The question is that clause 2 stand part of the Bill.

Clause 2 was added to the Bill.

Clause 1.

DEPUTY PRESIDENT: The question is whether clause 1 should stand part of the Bill?

Clause 1 was added to the Bill.

PREAMBLE AND TITLE.

DEPUTY PRESIDENT: The question is whether the preamble and title form part of the Bill?

The preamble and title were added to the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I shall now proceed to the third reading of the Bill. I shall move a formal amendment, namely that, in clause (1) sub-clause (i), for the figure 1110, the figure 1111 be substituted.

MR. C. V. CHANDRASEKHARAN (*Ag. Director of Public Instruction*): I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I move that the Bill just now amended be passed into law.

MR. C. V. CHADRASEKHARAN (*Ag. Director of Public Instruction*): I second it.

The motion was carried.

THE TRAVANCORE CO-OPERATIVE SOCIETIES BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I rise to introduce the Travancore Co-operative Societies Bill. It has been published in the Gazette with a Statement of Objects and Reasons; and I now beg to move that the Bill be read in the Assembly.

MR. C. V. CHANDRASEKHARAN (*Ag. Director of Public Instruction*): I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, this is a very important Bill and I am sure that that will not be denied by anybody. At the same time, I feel that it does not require much of a speech to explain the principles underlying the Bill. Very recently we had a full debate on the Co-operative Enquiry Committee Report of which this Bill was a part; and, as the Honourable members are aware, this Bill itself was the subject of discussion for a considerable time on that occasion. Again the day before yesterday, we had some discussion over the principles embodied in the Bill. I shall not therefore take up any time of the House to explain this Bill. I need only say that the Bill now placed before the House is in substance the Bill that has been drafted and recommended by the Co-operative Enquiry Committee, *minus*, however, one portion of it which evoked much adverse comment on the occasion of the discussion of the report in this House. That portion relates to a power which was proposed to be vested in the Registrar to cancel the bye-laws

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[Mr. Kayalam Parameswaran Pillai.]

of any Society and frame bye-laws of his own for any Society. This came up for considerable comment in the House last time and I thought that I would be consulting the opinion of the House if I took away that provision from the Bill and I have done so. I hope the House will accept the principles of the Bill.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Sir, I do not oppose the Bill, but at the same time ; I wish to make some observations. Sir, I wish to draw the attention of the House to one or two points. One is the provision in clause 31 for conferring summary powers of attachment and recovery upon the Registrar. I think it is not proper that such summary powers should be conferred upon the Registrar. I believe that those powers are to be exercised under the Revenue Recovery Regulation by the Registrar. This is what the Section says.—

> " Whenever a decree or order of a Civil Court, a decision or an award of the Registrar or Arbitrator or an order of the Registrar or liquidator is obtained by a registered Society for the realisation of the money, the Registrar or any person subordinate to him empowered by the Registrar in this behalf may subject to such rules as may be prescribed by our Government, recover the amount due under such decree, award or order together with interest, if any, due thereon and costs of the process by the attachment and sale of the property of the person against whom such decree, decision, award or order is obtained ".

Sir, there is much complaint even with regard to the manner in which Revenue authorities exercise such powers for the realisation of their dues. Those powers are exercised by officers of high status, that is, the Tahsildar and the Division Peishkar. The Land Revenue Commissioner is given powers of revision over the same. By this clause for recovery of dues to co-operative societies, powers under the Revenue Recovery Regulation are to be given to the Registrar or any officer subordinate to him. I think it is highly detrimental to the public interest to confer such powers on these officers.

Another provision which appears to me to be objectionable is the power given to the Registrar to supersede the Committees by appointing any person or persons. If a Committee is not managing the affairs properly, the Registrar may ask the Co-operative Society concerned to elect another Committee ; but to appoint anybody he likes to look after the affairs of the Society for two or three years is highly objectionable.

In fixing the audit fee also, the legislature must see that the fee is fixed only in proportion to share capital or the net income of the Society. No such restriction is now enforced under this Regulation.

These are the suggestions that I have to make with regard to the general principles of the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I have no doubt that Mr. Damodaran Asan agrees to the general principle of this Bill as he himself has stated. I can surely concede that every provision of this Bill requires careful consideration

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even though it was recommended by a strong and influential Committee. I am sure they will be looked into by the Select Committee and by this House at the subsequent readings.

DEPUTY PRESIDENT: The question before the House is whether the principle of the Bill be affirmed.

The motion was put and the principle of the Bill was affirmed.

The Secretary then read the title of the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I beg to move that the Bill be referred to a Select Committee consisting of:—

(1) Sadasyatilakan T. K. Velu Pillai
(2) Mr. A. S. Damodaran Asan
(3) ,, P. Chidambaram Pillai
(4) ,, A. Easwara Pillai (*Kottarakara*)
(5) ,, N. John Joseph
(6) ,, J. M. Joseph
(7) ,, K. C. Karunakaran
(8) ,, Pottayil S. Krishna Panickar
(9) ,, K. Mahomed
(10) ,, K. Kunjukrishna Pillai
(11) ,, K. A. Narayana Pillai
(12) ,, P. K. Narayana Pillai
(13) ,, Edavanatt S. Padmanabha Menon
(14) ,, V. Ramakrishna Panickar
(15) ,, A. Thanu Pillai and
(16) ,, T. P. Velayudhan Pillai,

the Committee to report within four months.

MR. C. V. CHANDRASEKHARAN (*Ag. Director of Public Instruction*): I second it.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): Sir, I propose Srimathy T. Narayani Amma's name also to be included.

MR. M. SIVATANU PILLAI (*Tovala*): I second it.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Is not the Registrar of co-operative Societies also a member?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The Registrar will be an *ex-officio* member. So it was I did not propose his name.

MR. M. K. JANARDHANA KAMATH (*Commerce and Industry, North*): Mr. M. Sivathanu Pillai's name may also be included in the Committee.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): In the Committee I proposed, there are 16 members. I have no objection to include any name provided the number will not exceed 16.

MR. V. RAMAKRISHNA PANICKAR (*Kartigapalli II*): My name may be dropped and Mr. Sivathanu Pillai's name may be substituted.

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DEPUTY PRESIDENT: I am very glad that the difficulty has been got over. There is a convention that in a Select Committee there shall ordinarily be 15 persons. The Law Member has even added one more and suggested 16 names. Does the House agree to the Committee being formed with the addition of the names of Mr. Sivatanu Pillai and Sreemati Narayani Amma, the former in the place of Mr V. Ramakrishna Panickar.

The House agreed to the constitution of the Select Committee as proposed and amended.

THE TRAVANCORE COMPENSATION FOR IMPROVEMENTS BILL—(*contd.*)

DEPUTY PRESIDENT: Before I proceed further, I wish to know the order of business prescribed by the President, whether it is the Debt Redemption Committee Report or the Land Improvement Compensation Bill that has to be taken up first.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): To-morrow the Debt Redemption Committee Report is to be taken up first. As regards to-day's agenda, he has not said anything specially.

DEPUTY PRESIDENT: According to the direction given by the President, Mr. Raman Pillai's Bill should have precedence to-day. I am for allowing discussion on Mr. Raman Pillai's Bill.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Discussion was going on yesterday on the trees of spontaneous growth.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Is it the amendment to be voted on now?

The House agreed that the amendments may be voted upon.

Clause 3.

MR. N. E. VARUGHESE (*Tiruvalla I*): My amendment is:—

"In clause 3 (*b*) after the words "trees of spontaneous growth" add 'which require no rearing and care on the part of the holder for their growth and up-keep".

MR. N. E. VARUGHESE (*Tiruvalla I*). ഞാൻ അവതരിപ്പിച്ച ഭേദഗതിയെപ്പറ്റി ചിലർ എതിരഭിപ്രായം പറഞ്ഞിട്ടുണ്ട്. അതിനാൽ എനിക്കു അതിനെക്കുറിച്ചു മറുപടി പറയാൻ അവകാശമുണ്ടു.

DEPUTY PRESIDENT: അവകാശമില്ലെന്നു പറഞ്ഞില്ല. അതിനു ഇങ്ങനെ ചോദ്യം ചോദിക്കേണ്ട ആവശ്യവും ഇല്ല. പക്ഷെ മറുപടി വളരെ ചുരുക്കമായി പറയണമെന്നേയുള്ളൂ.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): Sir, a point of order. No one spoke against the amendment. Mr. Kuriakose the only member who spoke, spoke in support of the amendment. I think therefore that Mr. Varghese has no right to speak.

DEPUTY PRESIDENT: Nobody opposed the amendment; but anyhow let us have a passing reply.

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